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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,045	12/20/2001	Irfan Ali	29250/CE08313R	2215
22917	7590	05/02/2006	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			WILSON, ROBERT W	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,045

Applicant(s)

ALI ET AL.

Examiner

Robert W. Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-21 is/are rejected.
- 7) ☒ Claim(s) 1-17, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Allowable Subject Matter

1.0 The closest prior art is Morimoto (U.S. Patent Publication No.: US2002/0001351) relative to claims 1-17 respectively. Morimoto teaches: timing values which are the same or constant in a first timing portion and timing values which are the same in the second timing portion. The timing values are the same in the first and second timing portion.

Claims 1-10 are allowed.

The following is an Examiner's statement of reasons for allowable subject matter:

Claims 1-10 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including "wherein the value is constant for each data packet in the second timing portion and different from the value for each data packet in the first timing portion", as specified in claim 1.

Claims 11-17 are allowed.

The following is an Examiner's statement of reasons for allowable subject matter:

Claims 11-17 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including "one or more subsequent timing portions each including at least two data packets wherein the value is constant for each data packet", as specified in claim 11.

The closest prior art relative to claim 22 is Slattery (U.S. Patent No.: 6,246,701) and Dokic (U.S. Patent No.; 5,726,989). Slattery teaches: receiving a first data packet and determining a first value in the header and determining the position of the clock based upon the

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first value. Dokic teaches: that providing a packet length of a MPEG packet is well known in the art. It would have been obvious to combine these references in order to be standards compliant.

Claims 22-23 are allowed.

The following is an Examiner's statement of reasons for allowable subject matter:

Claims 22-23 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including "upon receipt of the second data packet without reading a second value within the header of the second data packet", as specified in claim 22.

Claim Rejections - 35 USC § 103

2.0 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3.0 Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morimoto (U.S. Patent Publication No.: US2002/0001351) in view of Fujimori (U.S. Patent No.: 6,243,395)

Morimoto teaches: A method of time synchronization per Fig 2A within a video image per [0026] between the node which is inherently connected to 10 per Fig 1 or sending node and 11-20 per Fig 1 or receiving node via time. Time Data T subscript n or clock is imbedded in the data communication per Fig 2A. 10 per Fig 1 receives one data frame or packet which contains

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five smaller data packets as shown in Fig 2A. Each data packet contains a header time data T1 through T5 respectively. The values of T1 through T5 are read within the header of each data packet per Pg 2 Para [0026]-Pg 3 Para[0035]. The header values are compared with the previous values per Pg 2 Para [0026]-Pg 3 Para[0035].

Morimoto does not expressly call for: determining the position of the clock but teaches determination of the time value based upon the comparison of two values.

Fujimori teaches: determining the position of the time clock based removing synchronization information from a header per Fig 6. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the determination of the time clock of Fujimori to the comparison of time values of Morimoto in order to insure the local clock is in sync with the master system clock.

In addition: Morimoto teaches:

Regarding claim 19, the applicant broadly claims "unique value". The examiner has interpreted that two time values that are equal is a unique value.

Referring to claim 20, the combination of Morimoto and Fujimori teach: the method of time-synchronization of claim 18. The combination Morimoto and Fujimori does not expressly call for: updating a counter which reflects the position of the clock. Fujimori teaches: updating a PLL or counter which reflects the position of the clock. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the determination of the time clock of Fujimori to the comparison of Morimoto in order to insure the local clock is in sync with the master system

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Referring to claim 21, the combination of Morimoto and Fujimori teach: the method of time-synchronization of claim 18 and Morimoto teaches determining the time at the end of time segment. The combination Morimoto and Fujimori does not expressly call for: updating at least one counter. Fujimori teaches: updating a PLL or counter. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the determination of the time clock of Fujimori to the comparison of Morimoto in order to insure the local clock is in sync with the master system

Response to Amendment

4.0 Applicant's arguments filed 3/15/06 have been fully considered but they are not persuasive.

The examiner respectively disagrees with the applicant argument that the prior art Morimoto does not show "receiving a data packet, wherein each of a plurality of time portions includes two or more data packets, each data packet having a header containing a value that changes with each timing portion and wherein the clock is provided by at least one time segment each having the timing portion.

Morimoto teaches: Time Data T subscript n or clock is imbedded in the data communication per Fig 2A. 10 per Fig 1 receives one data frame or packet which contains five smaller data packets as shown in Fig 2A. Each data packet contains a header time data T1 through T5 respectively. The values of T1 through T5 are read within the header of each data packet per Pg 2 Para [0026]-Pg 3 Para[0035]. The header values are compared with the previous values per Pg 2 Para [0026]-Pg 3 Para[0035].

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

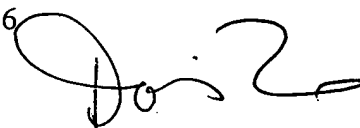
5.0 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571/272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Robert W Wilson
Examiner
Art Unit 2616

RWW
4/18/06


DORIS H. TO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600